

UNITED STATES DISTRICT COURT

FOR THE

DISTRICT OF MASSACHUSETTS

ELAINE CHAO, SECRETARY OF LABOR, *
United States Department of Labor, *
 *
Plaintiff, *
 * CIVIL ACTION
v. *
 * FILE NO. 05-11076 (GAO)
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SECRETARY OF LABOR'S STATUS REPORT

Pursuant to this Court's Order and after consultation with the Clerk's Office, the Plaintiff offers this Status Report on the progress of efforts by the Independent Fiduciary with respect to termination of the Plan.

As of July 25, 2006 the Independent Fiduciary, the Wagner Law Group, has prepared delinquent Form 5500s for the 2001 through 2005 Plan years, and has submitted them to the Employee Benefits Security Administration. In addition, draft communications with the participants have been prepared and will be sent out shortly to explain the process by which the monies in the Plan will be distributed to the participants.

In summary, all that is necessary to be done to terminate the Plan, has been or will shortly be undertaken, and the final steps preparatory to distribution are likewise being advanced.

The Plaintiff requests that she file a further report on the status of this matter by November 15, 2006, or on such date as the Court deems fit.

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DATE: August 9, 2006

cc : Marcia Wagner
Jaime Dansa